

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

02 FEB 20 PM 2:41

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 JEC/ACE

RIO CHAMA STREAM SYSTEM
Rio Nutrias, Section 3

ANSWER TO COMPLAINT FOR ADJUDICATION OF WATER RIGHTS

COMES NOW Joe B. Valdez (please print your full name)
JOE B. VALDEZ

and answers the complaint as follows:

Subfile No
CHNU-002-0008

Object ☒ Claim No Right ☐

1. In answer to Complaint: For each subfile listed above, please **initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the State's proposed Consent Order, or whether you make no claim as to the water right(s) described in the State's proposed Consent Order.

If you object to the description of water right(s) and reject the State's proposed Consent Order, or if you make no claim as to the water right(s) set forth in the State's proposed Consent Order for any of the Subfile Numbers listed above, for each such Subfile Number please explain in the appropriate spaces below.

I object to the description of the water right(s) described by Subfile Number(s) 002-0008 because

The 111 Acres on the North Part are not the priority
Because they are used mainly for grazing and used to be irrigated

RECEIVED

FEB 19 2002

OFFICE OF THE STATE ENGINEER
LEGAL SERVICES DIVISION

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This past year's water has not been abundant. The place was not irrigated totally in the past year because the priority was to harvest hay for the stock because of shortage of water the north was not irrigated very much but we still need the water for the cattle we have. Ditches were left in disrepair for the same reason when there is water we try to irrigate the north part ditches will be repaired to get water to help the crops and grazing for cattle which will happen when we get water. We have a very short runoff maybe a month this two years.

(Attach additional pages if necessary)

I made a good faith effort to resolve my disagreement with the State's proposed Consent Order by

trying to repair the ditches and get the land ready for when we get enough water for irrigation. And by showing field surveys part of the north parcel 16.1 Acres while they were being irrigated. We need this water for our livestock.

(Attach additional pages if necessary)

I claim no right for the water right(s) described by Subfile Number(s) _____

because _____

(Attach additional pages if necessary)

2. I understand that by making this claim and filing this document I am not waiving my rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I may have.

Dated: 2-15-02

Joe B. Valdez
(Signature - JOE B. VALDEZ)

PO Box 806 Tirre Amilla New Mex
(Address: Print Clearly) 87575

588-9526
(Phone Number: Print Clearly)

IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you have waived service of process, you must file an answer in the United States District Court for the District of New Mexico by December 28, 2001. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the State's proposed Consent Order if you fail to file an answer by December 28, 2001. The court's address is: 333 Lomas NW, Suite 270, Albuquerque, NM 87102, or P.O. Box 2384, Santa Fe, NM 87504. A copy of the answer filed with the district court must also be sent to the Office of the State Engineer, Legal Services Division, P.O. Box 25102, Santa Fe, NM 87504-5102.

In photograph taken in 1935 1958, 1975 & 1981

could also indicate we were having dry years and we need to use the small resource of water to irrigate the most needed areas, possible indicating no irrigation used in the area photographed. During some years we are only able to acquire a month (approximately) of water from run offs and so we have to irrigate the area that will give us the most crop for the year.

I depend on this crop to feed my livestock. This is a resource of survival. I have cattle that must be fed. Without water I can not obtain crop without the crop I cannot feed my cattle. This will or would deprive me of my earning and order to survive. Therefore I request reconsideration of the decision made.